ultimately be obtained But I regret that we are to look for this at Madrid. should have preferred to see it exacted in a more sum mary way by the blockade of Havans and the other prin cipal ports of the island. It is high time that we should have a remedy for these insults more immediately at hand, and that the Captain General should be compelled to use his power, which is only restricted by his ultimate responsibility at Madrid, as well for redress as for aggression. I have been satisfied, for the last three mouths, that the power of suspending the neutrality laws should the Territory of Minnesota. If passed, so far as he was be conferred on the President. I now think that it should informed, it would meet the spection of all the white settlers in the immediate vicinity of these Indians. than I have proposed, and to make it discretionary, to use it even during the session of Congress, but I have been restrained by the belief that the President will only title to all the lands owned by them in the Territory of

marks, that the present was not the proper occasion to be in the matter; he, however, endorsed the facts brought forward by his colleague, and expressed the hope that the subject would be referred to the Committee on of monials. The community, therefore, desired them to Foreign Relations, when, after their report, he should ask to be heard on the subject.

Remarks were also made by Messre. HUNTER, SE-marks were also made by Messre.

be given hereafter. Mr. CHASE desired the subject postponed for a week,

but subsequently withdraw his motion, and the resolution was adopted.

INDIAN APPROPRIATION BILL.

On metion of Mr. HUNTER, the Senate proceeded to the consideration of the bill making appropriation for the Indian department for the year ending 30th June, 1855, &c.

The immediate question pending being the appeal taken by Mr. Coopen from the decision of the chair ruling his amendment out of order as a private matter, the question was taken on the appeal, and there appearing sixteen affirmative and sixteen negative votes, the opinion of the Chair was considered sustained. Various other amendments were offered and adopted.

when the further consideration of the bill was postponed

The Senate then proceeded to the consideration of Executive business, and after some time spent therein the doors were opened and the Senate adjourned.

HOUSE OF REPRESENTATIVES. The SPEAKER laid before the House a communication from the War Department, transmitting, in compliance with a resolution of the 5th ultimo, estimates of the amount of claims for services of volunteers and for supplies furnished for their use in suppressing Indian hos-tilities in Rogue River Valley, in the Territory of Ore-

gon; which was referred to the committee on Military Affairs and ordered to be print a SHIPWRECKS ON THE COAST OF NEW JERSEY. Mr. SKELTON asked the consent of the House to in

troduce a bill for the better protection of lives and pro

perty from shipwreck on the New Jersey coast. He observed that the recent disasters on that coast fully demonstrated the necessity of action by Cougress on the Mr. RICHARDSON. On a previous occasion, when I sought to introduce a proposition under similar circumstances, the gentleman objected.

Mr. SKELTON. The gentleman is mistaken. Mr. RICHARDSON. I have sought for some time an opportunity to repay the gentleman, and I do so now by objecting to the introduction of his bill.

Mr. SKELTON moved to suspend the rules so as to enable him to introduce his bill. The SPEAKER stated that the motion was not in order, this day having been set apart, under a suspension of the rules, for the consideration of Territorial business.

ATMOSPHERIC TELEGRAPH.

Mr. BANKS said that he was entrusted with the me morial of J. S. Richardson, a citizen of the State which he in part represented, the inventor of the atmospheric telegraph, who asked the aid of the Government to enable him to make an experimental demonstration of the efficacy of that machine for the instantaneous transmissubject of inquiry was more appropriate than another, he asked consent to submit the following resolution:

Resolved, That the memorial of J. A. Richardson, the in ventor of the atmost herio telegraph, asking aid of the Gov-ernment for the purpose of testing upon an extended scale the efficacy of his invention for the rapid transmission of packages, letters, mails, &c. be referred to a select committee. Mr. JONES, of Tennessee, thought it unnecessary to trouble the House with this subject. The memorial could

be referred under the rules.

Mr. BANKS thought the gentleman would perceive that the subject of the memorial was one which was not more proper to any one standing committee than to an-

Mr. JONES did not think the subject proper for any The House had nothing to tions, and the Government was not organized for the pur-pose of making experiments. He objected to the introction of the memorial and resolution.

RIGHTS OF NEUTRALS AND BELLIGERENTS, &C. Mr. BAYLY, of Virginia, by consent, from the Committee on Foreign Affairs, submitted the following reso lutions, which were adopted :

Resolved, That the President be and he is hereby request ed to communicate to this House, as far as in his opinion may not be incompatible with the public interest, copies of all correspondence that has passed between this Government and foreign Governments upon the subject of the rights accorded, by declaration or otherwise, to neutrals, and the rights claim ed by belligerents, in the war impending between certain Eu-

Resolved. That the President be also requested to commu. nicate to this House, as far as in his opinion may not be in-compatible with the public interest, copies of such instruc-tions as have been furnished by the Department of State to our representatives aboved in our representatives abroad in relation to the island of Cuba as well as of such despatches as have been received from said representatives by the Department of State.

TERRITORIAL BUSINESS.

This week having been set apart for the consideration of business relating to the organized Territories, the House resumed the consideration of the bill for the construction of certain roads in the Territory of New Mexico, heretofore reported from the Committee of the Whole on the state of the Union with a favorable recommendation,

the question being on its passage.

And the question being taken, the bill was passed: Year 73, nays 59. The title was then amended so as to make it read. "

bill for the construction of certain military roads and wells in the Territory of New Mexico."
Mr. BISSELL, from the Committee on Military Affairs, reported the following bills, which were read twice and committed:

A bill to authorize the Secretary of War to settle and adjust the expenses of the Rogue River Indian war. A bill to provide for the construction of a military road in the Territory of Utab.

A bill to refund to the Territory of Utah the expense incurred in suppressing Indian hostilities. Also, from the same committee, reported back without amendment the bill of the House to provide for the continuation of the military road from Myrtle Creek to Scotts-

burg, in Oregon, with the recommendation that it pass and it was committed. Senate bill to establish the office of Surveyor General of New Mexico, to grant donations to actual settlers therein, and for other purposes, was then taken up, read twice

On motion of Mr. FARLEY, the House went into Com mittee of the Whole on the state of the Union, (Mr. Purlies, of Missouri, in the chair,) and proceeded to consider the bills on the calendar relating to the organized

The first bill taken up was the bill of the House making further appropriations for continuing the construction of roads in the Territory of Minnesota, in accordance with the estimates made by the War Department, the question being on the substitute reported therefor from the Committee on Territories.

Mr. FARLEY explained that the appropriations con tained in the bill amounted to \$50,000, and that the substitute made no change in the sum. Sixty-four thousan dollars would hereafter be required to complete the four roads named in the bill, which were of a military character, and necessary for the protection of the settlers in tha

Section of the country.

The question was then taken on the substitute, and was agreed to, when the bill as amended was laid aside to be reported to the House, with the recommendation

bill of the House authorizing the appointment o an additional number of Indian agents was next taken up.

Mr. ORR stated that the Senate had inserted into the general Indian appropriation bill an amendment making provision for the appointment of the approximation of provision for the appointment of the various Indian agents contemplated in the measure under consideration. As, when that bill should be returned to the House, they would

have an opportunity of passing upon the subject, he suggested the propriety of laying aside the bill before the committee without any recommendation.

The bill was accordingly laid aside to be reported to

the nature of a substitute.

And the question being taken, the amendment

the House to provide for the extinguishment of the title of the Chippewa Indians to the Isnds owned and claimed by them in the Territory of Minnesota and State of Wis-consin, and for their domestication and civilization. Mr. ORR said that the Committee on Indian Affairs,

who reported this bill, unanimously recommended its passage. It proposed to introduce a new feature into our Indian relations. It was not, however, without precedent in indicating to the Executive the manner and terms upon which treaties with Indian tribes should be nego-

tiated. On the contrary, there were several precedents.

The propositions contained in the bill had been suggested by many persons who reside within the limits of the Territory of Minnesota. If passed, so far as he was

have to announce to the representatives of the people and of the States that the contingency has arrived, and call the States that the contingency has arrived, and call the states that the contingency has arrived, and call the lands owned by them in the Ferritory of the state of Wisconsin. When their title should be extinguished it proposed to for immediate action, and his appeal will be promptly responded to. The issue must be met eventually, and we are reservation and homestead. The object was to setmnot choose a more proper moment for its solution. Ite the Indians in the midst of the whites; for they had Mr. BENJAMIN observed, in the course of some retle the Indians in the midst of the whites; for they had

WARD, MALLORY, BUTLER, and CHASE, which will of guarding the Indians against frauds by the whites, be given hereafter. ble, until Congress should otherwise enact.

The annuities for the lands the title of which was to be extinguished were to be paid either in money or, at the discretion of the President, in goods, provisions, or means of subsistence. A portion of the annuities was also to be expended in clearing and fencing the lands reserved and in erecting cabins for the comfort and convenience of the Indians. The bill also provided that the annuities now due should be paid in the same manner, should the

should be carried into effect it would be found to work well. The old plan had been fruitful of much evil, and had retarded the progress of the Indians in the scale of civilization. The money given the Indians was spent by them almost as soon as they received it, and defined and the remainder of the year they were but scentify fed and a debate of civilization.

Some conversation ensued, when the bill was passed whose good officiant I so highly value, and to that earnest-ness which springs from my deliberate conviction that a strict adherence to the terms and purposes of the Federal purposes, in substance—

some conversation ensued, when the bill was passed of interest the springs from my deliberate conviction that a strict adherence to the terms and purposes of the Federal compact offers the best, if not the only, security for the purposes.

A debate of civilization. The money given the Indians was spent by them almost as soon as they received it, and during the remainder of the year they were but scentily fed and the remainder of the year they were but scantily fed, and very frequently suffered from hunger and want.

The territory proposed to be acquired was very extensive and valuable. It embraced a very large portion of the copper region situated in the Territory of Minnesota, which now belonged to these Indians. Mr. HENN inquired the area of the country?

Mr. ORR was not prepared to answer the question, but thought the Delegate from Minnesota could inform the

Mr. RICE said twenty-five millions of acres. Mr. DUNHAM spoke in favor of the bill, regarding it as one of the most important propositions which had ever een introduced having for its object the civilization of the Indians.

Mr. RICE also favored the bill, when considerable deate ensued on amendments, in which Messrs. HAVEN, HOUSTON, LETCHER, GREENWOOD, WASHBURN, of

to be reported to the House with the recommendation that The bill to increase the salaries of executive and judiciary officers in Oregon and New Mexico was next con-

Numerous amendments were offered to the bill and a long debate ensued, when, without disposing of the subject, the committee rose and reported its action to the

TUESDAY, MAY 2, 1854.

IN SENATE.

And the House adjourned.

Mr. MORTON, from the Committee on Agriculture, to which was referred a memorial from Denton Offutt, offering to make public, for an equivalent, his system of tamwild horses and the improvement of the different breeds of domestic animals for the public good," submitted a report to the following effect:

"That the testimonials presented by the memorialist show efficacy of that machine for the instantaneous transmission of letters, packages, and mails. As there seemed to be no one standing committee of the House to which this subject of inquiry was more appropriate than another, he asked consent to submit the following resolution:

"That the testimonials presented by the memorialist show that he has devoted much time and labor to the improvement of the breed and management of domestic animals, particularly the horse; that the information which he is enabled to impart on the subject is well worthy of the consideration of the farmers and graziers of the country. Your committee are, however, of opinion that Congress should not respond to the memorial by any legislative action, and therefore ask to be discharged from its further consideration."

The committee was accordingly discharged. Mr. SHIELDS, from the Committee on Military Affairs, to which was referred the bill from the House of Repre-

sentatives granting the right of way to the St. Louis and Iron Mountain Railroad through the arsenal, magazine and Jefferson barracks tracts, reported it back with amend Mr. SHIELDS, from the Committee of Conference or

the disagreeing votes of the two Houses on the bill making appropriations for the support of the Military Acadecurred in. Mr. S. expressed the hope that, although the Senate had yielded on the present occasion, it would in future

adhere to amendments which he considered so just in themselves.

Mr. ALLEN, from the Committee on Pensions, report ed a bill granting bounty land to Elizabeth Summers. Also, from the same committee, to which were referred the bills from the House of Representatives for the relief of Benjamin Rowe and for the relief of Geo. W. Gibson, reported them back without amendment, accompanied by reports in each case recommending their passage.

Also, from the same committee, submitted adverse re ports on the petitions of James Steward, of Stamford ouaty, New York, and on the additional documents in the case of Benjamin Burton. Mr. EVANS, from the Committee on Revolutionary

Claims, submitted a report and a bill for the relief of Frederick Vincent, administrator of James Le Caze & Mallet. Mr. SEBASTIAN, from the Committee on Indian Af fairs, asked to be discharged from the further considera-tion of the memorials of John B. and Clarinda P. Chapman, asking that steps may be taken to civilize the In dians at Puget's sound, in Washington Territory, and that of the Territorial Legislature of New Mexico for nessures to protect them from Indian depredations; which was agreed to.

Mr. SEWARD, from the Committee on Pensions, asked to be discharged from the further consideration of the petition of S. T. Van Derze; which was agreed to.

INDIAN APPROPRIATION BILL On motion by Mr. HUNTER, the Senate proceeded to the consideration of the bill making appropriations for the Indian Department for the fiscal year ending June

Amendments were discussed at length, but the bill was not reported to the Senate. The Senate adjourned.

HOUSE OF REPRESENTATIVES.

Mr. JONES, of Tennessee, from the Committee of Conference on the disagreeing votes of the two Houses on the bill making appropriations for the support of the Military Academy for the year ending June 30th, 1853, reported that after a full and free conference the managers on the part of the Senate and House had agreed to recommend that the former body recede from their amendnents nen-concurred in by the House. The report was agreed to.

THE STEAMSHIP CITY OF GLASGOW. Mr. WHEELER asked consent to submit the following

esolution: Resolved, &c. That the Secretary of the Navy be and he is hereby authorized to send out immediately one or more steam or sailing vessels, with three months' provisions on board of each, together with blankets and warm clothing for four hundred persons, to search for the missing steamship City Glasgow, which is supposed to have met with some accident, either in machinery or spars, and is now among the ice which has lately been seen in such quantities in the North Atlantic ocean. If the Secretary of the Navy has not Government vessels at his disposal, he is hereby authorized to freight or charter suitable vessels for the purpose, to be paid for out of any money not otherwise appropriated.

Mr. LETCHER objected, and therefore the resolution

NEBRASKA AND KANSAS BILL. Mr. RICHARDSON said that it was the understanding. when this week was set apart for the consideration of Territorial business, that it should be devoted exclusively to matters appertaining to the organized Territories. This understanding he wished carried out, but desired to say in this connexion that he should move, in the early part of next week, to consider the Nebraska and Kanss bill. He made this statement that gentlemen might be advised that the friends of this measure were not trying to steal a march on them.

TERRITORIAL BUSINESS. The House then proceeded to consider the bill of the House making further appropriations for continuing the construction of roads in the Territory of Minnesota, in ace with the estimates made by the War Department, yesterday reported from the Committee of the Whole on the state of the Union with an amendment in

The House then proceeded to consider the bill to yide for the extinguishment of the title of the Chipp Indians to the lands owned and claimed by them in the Territory of Minnesota and State of Wisconsin, and for their domestication and civilization, reported yesterday from the Committee of the Whole with sundry amend ments.

The amendments were agreed to, and the bill was rea the third time and passed. Mr. RICHARDSON, from the Committee on Territo

ries, reported back, without amendment, the bill of the House to enable the people of Oregon to form a Consti-tution and State Government, and for the admission of such State into the Union; and it was committed. Also, from the same committee, reported a joint resolution to provide for the purchase of Territorial libra-

ries; which was read twice and committed.

On motion of Mr. R., the same committee was dis charged from the further consideration of the resolution directing them to inquire into the expediency of placing the Legislative Assembly of the Territory of Utah on the | was then read, as follows: same footing as regards clerks, &c. as those of Minnesota and Oregon, and it was laid on the table.

The House then went into Committee of the Whole on the state of the Union, (Mr. Phelrs, of Missouri, in the lands to the several States for the benefit of indigent inchair,) and resumed the consideration of the bill of the same persons," which was presented to me on the 27th House to increase the salaries of the executive and judi-ultimo, has been maturely considered, and is returned to clary officers in Oregon and New Mexico.

be reported to the House with a recommendation that it hold from it my approval. The committee then took up the bill to amend an act entitled "An act to settle and adjust the expenses of the people of Oregon from attacks and hostilities of Cayuse sought to

dians, in the years 1847 and 1848," approved August 21, 1852 Mr. LANE, of Oregon, briefly explained and advocated

the bill, when, after discussion and several amendments having been made, it was laid aside to be reported to the House with a recommendation that it pass.

The next bill in order was the one for the payment of the civil officers employed in the Territory of New Mexico

A debate of considerable length ensued in regard to the details of the bill, when, without disposing of the subject, the committee rose and reported its action to the House.

Hoery. The bill provides, in substance—

First. That ten millions of acres of land be granted to the several States, to be apportioned among them in the compound ratio of the geographical area and representation of said States in the House of Representatives.

AN AGITATOR ABROAD.

The SPEAKER laid before the House a communication from the President of the United States, transmitting a report from the Secretary of State, made in compliance with a resolution of the House of the 5th ultimo calling for the correspondence in the case of the Rev. James Cook Richmond. From a glance at this document the Reporter finds that-

Mr. Jackson, the American Minister to Austria, communicating to Mr. Secretary Marcy an account of the complaints of Mr. Richmond, complains of the annoyance caused him by the constant applications of Mr. Maine, and SKELTON participated.

The bill, after having been amended, was then laid aside

Richmond "to obtain satisfaction in his behalf for various wrongs which he asserts to have been committed by the Austrian authorities in Pesth against his person and his honor," and says :

"I spoke to the under Minister of Foreign Affairs about his case, and requested that he might be dealt with gently, as I had reason to doubt his sauity." "In the kindest manner possible I was assured that, if any further collision should occur between Mr. Richmond and the authorities, what I had said would be borne in mind, and he would not be severely handled."

"A cursory glance [at the voluminous correspondence] will satisfy your mind, I think, that he must have passed boundary line which sometimes separates a really superior intelligence from a mischievous species of

Mr. Secretary Marcy, in a letter to Mr. Jackson, says: "The Department entirely approves of the prudent teps you have taken in the case of the Rev. Mr. Richmond, and learns with pleasure that he is no longer in Austrian territory, and that you are at length relieved from the annoyance and anxiety to which you have been subjected on his account."

The communication and accompanying documents were referred to the Committee on Foreign Affairs and ordered

The House then adjourned.

WEDNESDAY, MAY 3, 1854.

IN SENATE. The following memorials and petitions were presented

and appropriately referred:
By Mr. BROWN: Documents in relation to the claim of Morgan McAffee to a tract of land purchased from the United States, and which was subsequently lost by a decision of the Supreme Court. Mr. JONES, of Iowa: From the Governor and Se-

onstruction of a railroad from Dubuque to the northern apply in like manner, if not in the same degree, to idiotboundary of said State. By Mr. BRIGHT: From the Brotherton Indians, asking a final settlement of their claims. By Mr. TOUCEY: From shipowners and other citizens

of Clinton and Westbrook, Connecticut, asking that those towns may be attached to the collection district of New By Mr. JOHNSON: From Alexander Mitchell, asking

an extension of his patent for screw-pile iron lighthouses.

RESOLUTION.

On motion by Mr. BRIGHT, it was striking out the words "although the same may have been previously sanctioned by the Senate," and insert "unless is be to carry out the provisions of an existing law or a treaty

So that the rule will now read : "30. No amendment proposing additional appropriations shall be received to any general appropriation bill, unless it be made to carry out the provisions of some existing law, or some act or resolution previously passed by the Senate during that session, or moved by direction of a standing committee of the Senate, or in pursuance of an estimate from the head of some of the Departments; and no amendment shall be received, whose object is to provide for a private claim, un-

less it be to carry out the provisions of an existing law or a

REPORTS FROM COMMITTEES. Mr. BUTLER, from the Committee on the Judiciary, to which was referred the bill from the House of Represen-tatives to repeal part of an act entitled "An act to provide for the safe-keeping of the acts, records, and seal of

Also, from the same committee, reported back without suitable building for the accommodation of the district of the States, not they of the Federal Union? We were court of the United States at Key West, in the State of

Florida Mr. PETTIT, from the Committee on the Judiciary, to which was referred the resolution of the Senate inquiring into the expediency of appointing a commission to revise the public statutes of the United States, to simplify their language, to correct their incongruities, to supply their deficiencies, arrange them in order, and reduce them to one connected text, reported that legislation was unnecessary on the subject, and therefore asked to be discharged from the further consideration of said resolution

which was agreed to. Mr. JONES, of lows, from the Committee on Pensions submitted an adverse report on the petition of Lewis Also, from the same committee, asked to be discharged

om the further consideration of the petition of Patien Hurd: which was agreed to. Mr. BRODHEAD, from the Committee of Claims. which was referred the memorial for the relief of Asa

Andrews, submitted a report, accompanied by a bill for HOUSE BILLS REFERRED. An act making further appropriations for continuing

nesota, in accordance with the estimates of the War Department, was referred to the Committee on Territories. An act for the construction of certain military roads in the Territory of Minnesota was referred to the Committee on Military Affairs. An act to provide for the extinguishment of the title of

them in the Territory of Minnesota and State of Wiscon sin, and for their domestication and civilization, was referred to the Committee on Indian Affairs. BILL INTRODUCED. Mr. BRODHEAD introduced a bill for the relief o

INDIAN APPROPRIATION BILL. Mr. HUNTER moved to proceed to the consideration of the bill making appropriations for the support of the Indian Department for the fiscal year ending June 30,

Mr. SEBASTIAN moved to proceed to the considera-tion of Executive business; and though he was not allow-

tive session, yet he might be permitted to say that it was all important to do so.

Mr. HUNTER observed that it would be better to pro-ceed with the Indian bill until the afternoon, and then the Senator might submit his motion. Mr. SEBASTIAN then withdrew his motion, and the

Indian bill was taken up.

Mr. WALKER moved an amendment appropriating \$500,000 for the payment of eight millions of acres of land taken from the friendly Creek Indians without compensation by the treaty of capitulation of Fort Jackson

Mr. Wanken had spoken for nearly half an hour in strenuous support of his amendment, when a message was received from the President of the United States; and, at the suggestion of Mr. Foor, the further action on the bill was suspended by general consent.

PRESIDENT'S VETO OF THE BILL FOR THE BENEFIT OF THE INDIGENT INSANE. The Message of the President of the United States

WASHINGTON, MAY 3, 1854.

To the Senate of the United States: the Senate, the house in which it originated, with a state-The bill, after having been amended, was laid aside to ment of the objections which have required me to with-

> In the performance of this duty, prescribed by the Con stitution, I have been compelled to resist the deep sympathies of my own heart in favor of the humane purpos be accomplished, and to overcome the reluc tance with which I dissent from the conclusions of the two Houses of Congress, and present my own opinions in opposition to the action of the co-ordinate branch of the Government, which possesses so fully my confidence and

If, in presenting my objections to this bill. I should say more than strictly belongs to the measure, or is required for the discharge of my official obligation, let it be attri-buted to a sintere desire to justify my act before those

Second. That wherever there are public lands in a State subject to sale at the regular price of private entry, the proportion of said ten millions of acres falling to such State shall be selected from such lands within it; and that to the States in which there are no such public lands land scrip shall be issued to the amount of their distributive shares, respectively; said scrip not to be entered by said States. but to be sold by them, and subject to entry by their assignees, provided that none of it shall be sold at less than one dollar per acre, under penalty of forfeiture of the

same to the United States. Third. That the expenses of the management and st perintendence of said lands, and of the moneys received therefrom, shall be paid by the States to which they may

selong out of the treasury of said States. Fourth. That the gross proceeds of the sales of such lands or land-scrip so granted shall be invested by the several States in safe stocks, to constitute a perpetual fund, the principal of which shall remain forever undiand the interest to be appropriated to the minished, maintenance of the indigent insane within the several

Fifth. That annual returns of lands or scrip sold shall be made by the States to the Secretary of the Interior, and the whole grant be subject to certain conditions and limitations prescribed in the bill, to be assented to by legislative acts of said States. This bill, therefore, proposes that the Federal Government shall make provision to the amount of the value of ten millions of acres of land for an eleemosynary object within the several States, to be administered by the political authority of the same; and it presents, at the thresh-

old, the question whether any such act, on the part of the Federal Government, is warranted and sanctioned by the Constitution, the provisions and principles of which are o be protected and sustained as a first and paramount duty.

It cannot be questioned that if Congress have power to make provision for the indigent insane without the limits of this District, it has the same power to provide for the indigent who are not insane, and thus to transfer to the Federal Government the charge of all the poor in all the States. It has the same power to provide hospitals and other local establishments for the care and cure of every species of human infirmity, and thus to assume all that duty of either public philanthropy or public necessity to the dependent, the orphan, the sick, or the needy which is now discharged by the States themselves, or by corporate institutions or private endowments existing under the legislation of the States. The whole field of public beneficence is thrown open to the care and culture of the Federal Government. Generous impulses no

longer encounter the limitations and control of our imthe present object in itself, it is only one of a class. It is not exclusively worthy of benevolent regard. Whatever cretary of State of Iowa, asking a grant of land for the considerations dictate sympathy for this particular object cy, to physical disease, to extreme destitution. If Congress may and ought to provide for any one of these ob ects, it may and ought to provide for them all; and if it be done in this case, what answer shall be given when Congress shall be called upon, as it doubtless will be, to pursue a similar course of legislation in the others? It ill obviously be vain to reply that the object is worthy,

but that the application has taken a wrong direction.

The power will have been deliberatively assumed, the general obligation will by this act have been acknowledged, and the question of means and expediency will alone On motion by Mr. BRIGHT, it was be left for consideration. The decision upon the princiResolved, That the 30th rule of the Senate be amended by ple in any one case determines it for the whole class. The question presented, therefore, clearly is upon the constitutionality and propriety of the Federal Government as-suming to enter into a novel and vast field of legislation. namely, that of providing for the care and support of all hose among the people of the United States who, by any form of calamity, become fit objects of public phi

lanthropy. I readily, and I trust feelingly, acknowledge the duty incumbent on us all, as men and citizens, and as among the highest and holiest of our duties, to provide for those who, in the mysterious order of Providence, are subject to want and to disease of body or mind; but I cannot fine any authority in the Constitution for making the Federal lovernment the great almoner of public charity through out the United States. To do so would, in my judgment e contrary to the letter and spirit of the Constitution, and subversive of the whole theory upon which the Union of these States is founded. And if it were admissible to contemplate the exercise of this power, for any object whatever, I cannot avoid the belief that it would, in the the United States, and for other purposes," reported back the same without amendment.

whatever, I cannot rather than beneficial to the noble offices of charity to have the charge of them transferred o, from the same committee, reported back without from the States to the Federal Government. Are we not ment the bill to provide for the construction of a too prone to forget that the Federal Union is the creature the inhabitants of Colonies distinct in local government one from the other before the Revolution. Revolution the Colonies each became an independent State. They achieved that independence and secured its recognition by the agency of a consulting body, which from being an assembly of the ministers of distinct sovereignties, instructed to agree to no form of government which did not leave the domestic concerns of each State o itself, was appropriately denominated a Congress. When, having tried the experiment of the confederation, they resolved to change that for the present Federa Union, and thus to confer on the Federal Government more ample authority, they scrupulously measured such of the functions of their cherished sovereignty as they chose to delegate to the General Government. aim, and to this end, the fathers of the Republic framed the Constitution, in and by which the independent and sovereign States united themselves for certain specified objects and purposes, and for those only, leaving all powers not therein set forth as conferred on one or another of the three great departments, the legislative, the executive, and the judicial, indubitably with the States. the United States under it, are too plain to need com And when the people of the several States had, in their State conventions, and thus alone, given effect and force to the Constitution, not content that any doubt should in future arise as to the scope and character of this act, they engrafted thereon the explicit declaration that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are re-

the construction of certain roads in the Territory of Min-'served to the States respectively, or to the people."

On it be controverted that the great mass of the business of Government that involved, in the social felations, the Chippewa Indians to the lands owned and claimed by the internal arrangements of the body politic; the mental and moral culture of men; the development of local resources of wealth; the punishment of crimes in general; the preservation of order; the relief of the needy or otherwise unfortunate members of society, did, in practice, remain with the States; that none of these objects Jones C. Levy and Jose Maria Jarrero, which was read and ordered to be placed on the calendar.

of local concern are, by the Constitution, expressly or impliedly prohibited to the States, and that none of them are, by any express language of the Constitution, transferred to the United States? Can it be claimed that any of these functions of local administration and legislation are vested in the Federal Government by any implication. I have never found any thing in the Constitution which is susceptible of such a construction. No one of the enu-merated powers touches the subject, or has even a remote analogy to it. The powers conferred upon the United

of accomplishing or executing things of Federal relation. So also of the same character are the powers taken away from the States by enumeration. In either case the powers granted and the powers restricted were so granted or so restricted only where it was requisite for the maintenance of peace and harmony between the States, or for the purpose of protecting their common interests and defending their common sovereignty against

aggression from abroad or insurrection at home.

I shall not discuss the question of power sometime claimed for the General Government under the clause of the eighth section of the Constitution, which gives Congress the power " to lay and collect taxes, duties, imposts, and excises, to pay debts, and provide for the common defence welfare of the United States," because, if it has not already been settled upon sound reason and au-thority, it never will be. I take the received and just construction of that article as if written to lay and collect axes, duties, imposts, and excises in order to pay the debts and in order to provide for the common defence and general welfare. It is not a substantive general power to ties, and imposts. If it were otherwise, all the rest of the Constitution, consisting of carefully enumerated and cautiously guarded grants of specific powers, would have been useless, if not delusive. It would be impossible, in that view, to escape from the conclusion that these were inserted only to mislead for the present, and, instead involve its action in the mazes of doubtful construction. Such a conclusion the character of the men who framed that sacred instrument will never permit us to form. Indeed, to suppose it susceptible of any other construction would be to consign all the rights of the States, and of the people of the States, to the mere discretion of Congress, and thus to clothe the Federal Government with authority to control the sovereign States, by which the States would have been dwarfed into provinces or departments, and all sovereignty vested in an absolute consolidated central in so many countries, struggled in vain. In my judgment you cannot by tributes to humanity make any adequate ing the sources of power and political action from those who are to be thereby affected. If the time shall ever arrive when, for an object appealing horses and the sources of appearent donation of lands to the States likely to be relied upon as sustaining the principles of this bill is the relinquishment of swamp lands to the States in which they are situated. But the rive when, for an object appealing, however strongly, to our sympathies, the dignity of the States shall bow to the dictation of Congress by conforming their legislation thereto, when the power, and majesty, and honor of those who created shall become subordinate to the thing of their creation, I but feebly utter my apprehensions when I express my firm conviction that we shall see "the beginning of the end."

Fortunately, we are not left in doubt as to the purpose of the Constitution any more than as to its express language; for, although the history of its formation, as recorded in the Madison papers, shows that the Federal Government, in its present form, emerged from the conflict of opposing influences which have continued to divide statesmen from that day to this, yet the rule of clearly defined powers and of strict construction presided over the actual conclusion and subsequent adeption of the onstitution.

President Madison, in the Federalist, says: "The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State Governments are numerous and inde finite. Its" (the General Government's) " jurisdiction extend to certain enumerated objects only, and leaves to the several States a residuary and inviolable soverdighty over all other

In the same spirit President Jefferson invokes "the support of the State Governments in all the rights as the most competent administrations for our domestic concerns, and the surest bulwark against anti-republican tendencies;" and President Jackson said that our true strength and wisdom are not promoted by invasions of the rights and powers of the several States, but that, on the contrary, they consist "not in binding the States more closely to the center, but in leaving each more unob

structed in its proper orbit."

The framers of the Constitution, in refusing to confer on the Federal Government any jurisdiction over these purely local objects, in my judgment manifested a wise forecast and broad comprehension of the true interests of these objects themselves. It is clear that public charities within the States can be efficiently administered only by their authority. The bill before me concedes this, for

it does not commit the funds it provides to the administration of any other authority.

I cannot but repeat what I have before expressed, that if the several States, many of which have already laid the foundation of munificent establishments of local beneficence, and nearly all of which are proceeding to establish them, shall be led to suppose, as they will be, should this bill become a law, that Congress is to make provision for such objects, the fountains of charity will be dried up at home, and the several States, instead of bestowing their own means on the social wants of their people, may themselves, throughout the strong temptation which appeals to States as to individuals, become the humble suppliants for the bounty of the Federal Government, reversing their

true relation to this Union. Having stated my views of the limitation of the powers conferred by the eighth section of the first article of the Constitution, I deem it proper to call attention to the perious fundamental law; for, however worthy may be the sixth article, bearing directly upon the question unthird section of the fourth article, and to the provisions of der consideration; which, instead of aiding the claim to wer exercised in this case, tend, it is believed, stre to illustrate and explain positious which, even without such support, I cannot regare as questionable.

The third section of the fourth article of the Constitu-

tion is in the following terms: " The Congress shall have power to dispose of and make a needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claim of the United States or of any particular State."

The sixth article is as follows, to wit, that-'All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confede-

ration. For a correct understanding of the terms used in the third section of the fourth article, above quoted, reference should be had to the history of the times in which the Constitution was formed and adopted. It was de upon in convention on the 17th September, 1787, and by t Congress was empowered to "dispose of," &c. "the territory or other property belonging to the United States."
The only territory then belonging to the United States was that then recently ceded by the several States, to wit: by New York in 1781, by Virginia in 1784, by Massachusetts in 1785, and by South Carolina in August, 1787, with respect the Court the Court in the Carolina in 1787, only the month before the formation of the Consti-The cession from Virginia contained the follow

ing provision : That all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be condered a common fund for the use and benefit of such of the nited States as have become or shall become members of a Confederation or Federal alliance of the said States, Virnia included, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other ase or purpose whatsoever.

Here the object for which these lands are to be disposed of is clearly set forth, and the power to dispose of them granted by the third section of the fourth article of the constitution clearly contemplates such disposition only If such be the fact, and in my mind there can be no doubt of it, then you have again, not only no implication in fa-

vor of the contemplated grant, but the strongest authority against it. Furthermore, this bill is in violation of the faith of the Government, pledged in the act of January 28, 1847. The

nineteenth section of that act declares-"That for the payment of the stock which may be created under the provisions of this act, the sales of the public land are hereby pledged; and it is hereby made the duty of the Secretary of the Treasury to use and apply all moneys which may be received into the Treasury for the sales of the public lands after the first day of January, 1848, first, to pay the interest on all stocks issued by virtue of this act; and, secondly, to use the balance of said receipts, after paying the interest aforesaid, in the purchase of said stocks at their market value." &c. are hereby pledged; and it is hereby made the duty of the

The debts then contracted have not been liquidated, and the language of this section, and the obligations of

ment. ·I have been unable to discover any distinction, on co stitutional grounds or grounds of expediency, between an appropriation of ten millions of dollars, directly from the money in the Treasury, for the object contemplated, and the appropriation of lands presented for my sanction. And yet I cannot doubt that if the bill proposed ten millions of dollars from the Treasury of the United States for the support of indigent insane in the several States. the constitutional question involved in the act would

have attracted forcibly the attention of Congress. I respectfully submit that, in a constitutional point of view, it is wholly immaterial whether the appropriation be in money or in land.

Union, just as much as the surplus proceeds of that and of duties on imports remaining unexpended in the treasory. As such it has been pledged, is now pledged, and may need to be so pledged again for public indebtedness. As property, it is distinguished from actual money chiefly in this respect: that its profitable management sometimes requires that portions of it be appropriated to

The committee then proceeded to consider the bill of agreed to, and the bill was read the third time and pass ed to state the reasons why he desired to go into Execu- States have reference to Federal relations, or to the means they afford no precedent or constitutional reason for the House to provide for the extinguishment of the title ed: Ayes 79, noes 43. giving away the public lands. Still less do they give sanction to appropriations for objects which have not been entrusted to the Federal Government, and therefore be-

ong exclusively to the States.

To assume that the public lands are applicable to ordinary State objects, whether of public structures, police, charity, or expenses of State administration, would be to disregard, to the amount of the value of the public lands, all the limitations of the Constitution, and confound, to that extent, all distinctions between the rights and pow-ers of the States and those of the United States. For if the public lands may be applied to the support of the poor, whether same or insane, if the disposal of them and their proceeds be not subject to the ordinary limitations of the Constitution, then Congress possesses unqualified power to provide for expenditures in the States by means of the public lands, even to the degree of defraying the salaries of Governors, judges, and all other expenses of the Government and internal administration within the several States. The conclusion from the general survey of the whole subject is, to my mind, irresistible, and of the whole subject is, to my mind, irresistible, as provide for the welfare of the United States, but is a limitation on the grant of power to raise money by taxes, duas regards the principle of the appropriation proposed in this bill. Would not the admission of such a power in Congress to dispose of the public domain work the practical abrogation of some of the most important provisions of the Constitution? If the systematic reservation of a definite portion of the public lands (the sixteenth section) in the States for the purpose of education and occasiona of enlightening and defining the pathway of the future, to grants for similar purposes be cited as contradicting these conclusions, the answer, as it appears to me, is obvious and satisfactory. Such reservations and grants, besides being a part of the conditions on which the proprietary right of the United States is maintained, along with the minent domain of a particular State, and by which the public land remains free from taxation in the State in which it lies as long as it remains the property of the United States, are the acts of a mere land owner, disposing of a small share of his property in a way to augment the value of the residue, and in this mode to encourage power, against which the spirit of liberty has so often, and the early occupation of it by the industrious and intelli

> upon grounds clearly distinguishable in principle from any which can be assumed for the bill herewith returned, viz. upon the interest and duty of the proprietor. They were charged, and not without reason, to be a nuisance to sure was predicated not only upon the ground of the dis-ease inflicted upon the people of the States which the United States could not justify as a just and honest pro-prietor, but also upon an express limitation of the application of the proceeds, in the first instance, to purposes of levees and drains, thus protecting the health of the inthe remaining lands belonging to the General Government. It is not to be denied that Congress, while administering the public lands as a proprietor within the principle dis-tinctly aunounced in my annual message, may sometimes have failed to distinguish accurately between objects which are and which are not within its constitution

After the most careful examination, I find but two examples in the acts of Congress which furnish any precedent for the present bill, and those examples will, in my pinion, serverather as a warning than as an inducen tread in the same path.

The first is the act of March 3, 1819, granting a town

ship of land to the Connecticut azylum for the education

of the deaf and dumb. The second that of April 5, 1826, making a similar grant of land to the Kentucky asylum for teaching the

century ago. These acts were unimportant as to the amount appropriated, and, so far as I can ascertain, were passed on wo grounds: First, that the object was a charitable one; and, secondly, that it was national. To say that it was a charitable object is only to say that it was an object of expenditure proper for the competent authority; but it no more tended to show that it was a proper object of expenditure by the United States than in any other purely local object appealing to the best sympathies of the human heart in any of the States. And the suggestion hat a school for the mental culture of the deaf and dumb in Connecticut or Kentucky is a national object only shows how loosely this expression has been used when the purpose was to procure appropriations by Congress. It is not perceived how a school of this character is otherwise national than is any establishment of religious or moral instruction. All the pursuits of industry, every thing which promotes the material or intellectual wellbeing of the race, every ear of corn or boll of cotton which grows is national in the same sense; for each one of these things goes to swell the aggregate of national prosperity and happiness of the United States; but it

that, when it was proposed to empower Congress to esta-Inited States, and that even that proposed clause was omitted in consideration of the exclusive powers conferred on Congress to legislate for that District. Gould a more decisive indication of the true construction and the spirit of the been given? It proves that such objects were considered that they were not comprehended, either expressly or by implication, in the grant of general power to Congress, and that, consequently, they remained with the several

sary consequence of those views of the relative rights, powers, and duties of the States and of the Federal Government which I have long entertained and often express-ed, and in reference to which my convictions do but increase in force with time and experience. I have thus discharged the unwelcome duty of respect-

FRANKLIN PIERCE. gress. Mr. FOOT moved that the message be laid upon the

Mr. HUNTER moved that ten thousand extra copies be printed for the use of the Senate. Mr. BROWN addressed the Senate on the general subject involved in the message, being anxious that the at-tention of the public should be called to the necessity of pausing before they came to a conclusion on the State paper which was before the Senate. He proceeded to show the character of the support the indigent insane bill had received at the present and at previous sessions of Congress, and to argue in favor of the passage of the bill, notwithstanding the President's objections. He said the

Mr. FOOT suggested that a future day should be fixed for the discussion on this message, but he availed him-self of this opportunity to sustain the bill. He proposed also to examine with perfect freedom the objections of t President, which he discussed seriatim at some length. Mr. HUNTER said, as it was proposed to postpone the liscussion on this message, this was not the proper occasion to enter into the debate; but when the time should come the friends of the President would be well able to meet the Senator from Vermont. He could not, however, allow the occasion to pass without saying that the coun-

of the Executive veto, and promised to enter into the subect more fully hereafter. Mr. TOOMBS maintained the soundness of the principles which are enforced by the President in his message. When the debate should be entered upon he said he should

desire to be fully heard upon this subject. Mr. BUTLER contended that this subject had never been properly considered by the Senate, and it should be

Mr. DIXON intimated that he should hereafter give the reasons why he did not concur with the message. pressed some surprise that the constitutionality of giving money for marine hospitals and lands for railroads and school purposes was admitted, while it was denied in this case.

Messrs. BELL, DOUGLAS, BROWN, JONES, of Tennessee, WELLER, STUART, BAYARD, GWIN, and others continued the discussion until four o'clock. The debate at one time assumed somewhat a personal

character between Messrs. Brown and Douglas, on account of an interrogation put by the former to the latter (presuming him in favor of the homestead bill) as to how he could justify himself on constitutional grounds for giving lands for the benefit of the sane and refusing them to the insane, intimating that the Senator might be called on to justify himself before the country for giving lands on to justify himself before the country for giving lands to voters and refusing them to persons not entitled to vote. This seeming imputation on the motives of Mr. Douglas induced him to reply with an earnestness of manner indicative of partial irritation, and the colloquy was kept up (only for a few minutes) until it was terminated by a playful and well-timed remark by Mr. Baders, who observed that it seemed to be the opinion of both of his friends (Messrs. Brown and Douglas) that insane persons were not permitted to vote. He (Mr. local objects in the States wherein it may happen to lie, as would be done by any prudent proprietor to enhance the sale-value of his private domain. All such grants of land are, in fact, a disposal of it for value received; but

the inhabitants of the surrounding country.

The first more than thirty years after the adoption of the Constitution, and the second more than a quarter of

confounds all meaning of language to say that these things are "national," as equivalent to "Federal," so as to come within any of the classes of appropriation for which Congress is authorized by the Constitution to legislate.

It is a marked point in the history of the Constitution blish a university, the proposition was confined to the District intended for the future seat of Government of the Constitution in regard to all matters of this nature have by the convention as appertaining to local legislation only,

States. The general result at which I have arrived is the neces-

fully stating my objections to this bill, with which I cheerfully submit the whole subject to the wisdom of Contable and printed; which was agreed to. It was also ordered to be entered on the Journal of the Senate.

reading of the message had not shaken his convictions of the constitutionality of the bill.

try was deeply indebted to the President for arresting this He pointed out the vast importance of this exercise

fully discussed before the veto of the President should be condemned.

The public domain is the common property of the